GOVERNMENT OF ANDHRA PRADESH
ANSTRACT

Consumer Affairs, Food &Civil Supplies Department-Filing of defamation suit on the Management of Eenadu Daily Telugu News paper regarding baseless allegations under caption " "ప్రకటనలు గాలికి... ధాన్యం ఎలుకలకి "- Sanction of State Government to launch prosecution u/s. 199(2) of Cr.PC and to file defamation suit- Orders- Issued

---

CONSUMER AFFAIRS, FOOD &CIVIL SUPPLIES (CS.I) DEPARTMENT

GO.Rt No:10 Dated:31 -03-2023

Read the following:

1. News item published in Eenadu daily Dt. 20-01-2023 under Caption "ప్రకటనలు గాలికి... ధాన్యం ఎలుకలకి "
2. Rejoinder Date,21-01-2023.of Collector & District Magistrate, Ambedkar Konaseema District
3. G.O.Rt No. 2430, GA (I& PR) Department Dt. 30-10-2019.
4. Lr.No. FCS01-FCCS0CSS/18/2023-CS-I Dept. dt.8.02.2023. to the Public Prosecutor, High Court of A.P.,
5. Notice Dt.09-02-2023, Public Prosecutor, High Court of A.P.,

ORDER:

In the reference 1st read above, a news Item has been published in Eenadu Daily Telugu News paper on 20-01-2023 under caption ""ప్రకటనలు గాలికి... ధాన్యం ఎలుకలకి "" making the following accusations on the Government.

2. Smt Mattaparthi Shantha kumari of Narendrapuram village, P. Gannavaram Mandal taken lease of 1.4 acre of the land for the purpose of cultivating paddy. Thereafter, 33 quintals of paddy harvested and the same was weighed and accordingly paddy bags were stored for one and a half month. However, the concerned Officers and staff of RBK procured paddy from few people in the village and did not procure the paddy of Santhakumari stating that they have completed their target. It was also alleged in the said Newspaper that, Santha kumari preserved paddy bags near threshing floor in her paddy field and waited for the officers for many days for procurement of paddy. However, the officers did not turn up and subsequently most of the preserved sacks of paddy were bitten by rats.

3. Based on the above accusations, the Government has issued rejoinder in the reference 2nd read above, that the news published in Eenadu Telugu Daily is factually incorrect and it leads to misconception in the minds of the public and it has failed to present the true facts with regard to the incident happened, despite being aware of the fact that, Smt. Mattaparthi Shantha Kumari contacted the staff of Narendrapuram- 2 RBK on 29.12.2022 and the RBK staff responded on the same day and they have handed over the coupon for procurement of 82 bags(32 quintals) of paddy and they have fixed the date for procurement as 03-01-2023. However, the procurement could not be completed on 03-01-2023 citing the reason of completion of their target, but RBK staff issued procurement coupon again and scheduled the purchase of paddy on 19-01-2023. Quality test was also conducted on 19-01-2023 by Technical Assistant and it is found that no damage was caused by rats and quality of paddy was within the standard limits. RBK staff also completed the process of GLT and generated FTO on the very next day i.e., 20-01-2023, thereafter Smt. Mattaparthi Shantha Kumari's 32.8 Quintals of paddy was procured on MSP and transported to Sri Venkata Ramana Rice Mills of K.Gannavaram.

The details of FTO are as follows:

FTO No	: 9044700052200368
F.T.O. Date	: 20-01-2023
No. Of bags	: 82(40Kgs)
Quantity	: 32.8 Qtls
Rate per Quintal	: Rs.2040 per quintal
Total amount generated	: Rs. 66,912/- (Without any reduction)

4. The Government also condemn the allegations made in the newspaper is false and statements and is based on a wholly erroneous understanding and interpretation of the facts relating to the incident, which has caused enormous prejudice on the Government, affected and damaged the reputation and integrity in the eyes of the public. After considering the above facts, it is evident that a deliberate act to tarnish the image of the Government by publishing false news article which read as whole is per se defamatory in nature, and the said same was published without factually ascertaining the truth before publishing the same.

5. Government have examined the matter with reference to the orders issued in GO 3rd read above, wherein powers have been delegated to the Secretaries of Respective departments to file complaints and rejoinders.

6. Accordingly, vide reference 4th read above, the Public Prosecutor, High Court of A.P. was requested to take immediate necessary action as per due procedure for initiation of defamation under Code of Criminal Procedure, 1973 against the management of Eenadu telugu Daily news paper. The Public Prosecutor has issued a Notice to the management of Eenadu Daily News paper vide Notice 5th read above.

7 After careful examination of the materials submitted by VC and MD of Civil Supplies Corporation and after minutely going through the contents of the same, it is *primafacie* established that the contents of the said publication referred supra amounts to defamation. Government, hereby accord sanction u/s. 199(4)(b) to the Public Prosecutor, High Court of A.P., to launch prosecution u/s. 199(2) CrPC against the management of Eenadu Daily News Paper including the responsible persons in publishing the defamatory publication with baseless allegations on Government under caption "ప్రకటనలుగాలికి... ధాన్యంఎలుకలకి" published on 20-01-2023.

The following persons shall be prosecuted for their defamatory publication:

1. Ushodaya Enterprises Pvt. Ltd,
Represented by it's Managing Director
Survey No. 94 B,C &D,
Nidumukkala Village,
Tadikonda Mandal,
Guntur District, Andhra Pradesh-522016

2. Mr.Ch.Kiran
Managing Director,
Ushodaya Enterprise Pvt. Ltd
Road No:36, Jubilee Hills,
Hyderabad- Telangana State

3. Mr. M.Nageshwara Rao
Printer & Publisher,
Eenadu Telugu Daily,
Survey No. 239/3, 240/3B & 240/4
Gudavalli Village,
Vijayawada Rural Mandal,
NTR District, Andhra Pradesh-521104

4. Mr. M.Nageshwara Rao
Editor, EenaduTelugu Daily,
Survey No. 239/3, 240/3B & 240/4
Gudavalli Village,
Vijayawada Rural Mandal,
NTR District, Andhra Pradesh-521104

5. The Bureau Chief,
Eenadu Telugu Daily
Survey No. 239/3, 240/3B & 240/4
Gudavalli Village,
Vijayawada Rural Mandal,
NTR District, Andhra Pradesh-521104

8. The Public Prosecutor, High Court of Andhra Pradesh, shall take immediate necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

H. ARUN KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT

To
The State Public Prosecutor, High Court of Andhra Pradesh, Amaravathi
Copy to :
The Commissioner, Civil Supplies Department, A.P., Vijayawada.
The P.S. to Addl. Secretary to CM
PS to Hon'ble Minister for (PM CAF & CS) Department
The P.S to C.S.,
The P.S., to E.O. Secretary, CAF & CS Department,
The Commissioner Printing and Stationery(with a request to publish the GO in A.P. Gazette.
SF/SC (1984343)

// FORWARDED :: BY ORDER //

SECTION OFFICER